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In re Application of
SCHOWENGERDT et al.
Application No.: 10/508,753
PCT No.: PCT/US03/07214
Int. Filing Date: 07 March 2003
Priority Date: 15 March 2002
Attorney Docket No.: UNIV0247
For: MATERIALS AND METHODS FOR
STIMULATING FOCAL SHIFTS IN VIEWERS
USING LARGE DEPTH FOCUS DISPLAYS

DECISION ON PETITION

UNDER 37 CFR 1.137(b)


The petition to revive under 37 CFR 1.137(b) filed 22 September 2004 in the above-captioned application is hereby **GRANTED** as follows:

Applicants' statement that the "entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

The basic national fee of \$50 and required petition fee of \$665 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The declaration filed on 22 September 2004 is unacceptable because it contains duplicate Page 2 signature pages. Each page is signed by different inventors and combined into one declaration. The declaration is not properly executed. It appears that either the attorney pieced together separate complete declarations into one composite declaration or the inventors were presented with an incomplete declaration. What is required is one declaration where all inventors have signed or separate complete declarations. Thus, the requirements of 37 CFR 1.497 (a) and (b) have not been met and the declaration is unacceptable as filed.

This application is being forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements indicating that a declaration executed by the inventors is required.


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